IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

LA.App..No. 697 of 2001(D)

LAR.74/1998 OF ADDL.SUB COURT,PARAVUR.
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APPELLANT/ADDITIONAL 2ND RESPONDENT:

KOCHI INTERNATIONAL AIRPORT SOCIETY,
REPRESENTED BY ITS MANAGING DIRECTOR,
NEDUMBASSERY, ANGAMALY.

BY ADV. SRI.N.N.SUGUNAPALAN.

RESPONDENTS/CLAIMANTS/1ST RESPONDENT:
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1. **ALIAS, S/O. VAREED, THEKKANATTU,**
   KEEZHPARIYARAM.

2. **STATE OF KERALA, REPRESENTED BY SECRETARY**
   TO GOVERNMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

BY ADV. SRI.T.KRISHNAN UNNI,
ADV. SRI.VINOD RAVINDRANATH,
GOVT. PLEADER SMT. K.R. DEEPA.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 22/10/2007,ALONG WITH L.A.A. NO. 551/2002 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO. 393/2002 IN LA.A. NO. 697/2001

DISMISSED

SD/- KURIAN JOSEPH, JUDGE.

22/10/2007. **SD/- HARUN-UL-RASHID, JUDGE.**

//TRUE COPY//

prv.

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

LAA Nos.697 of 2001,
52, 551, 932, 933, 1469 & 1527 of 2002,
71, 829, 931, 932, 993, 1192, 1276& 1334 of 2003,
18, 19, 117, 118, 119, 576, 701, 740 & 859 of 2004

Dated: October 22, 2007

JUDGMENT

Kurian Joseph, J.

These are cases filed by the State, the requisitioning authority and the claimants aggrieved by the fixation of land value in respect of the property acquired for the Cochin International Airport. In view of the judgment in LAA No.412/2001, it is now settled that the claimants are entitled to enhancement only at the rate of 45% over and above the value fixed by the Land Acquisition Officer and the statutory benefits. Therefore these appeals are partly allowed modifying the judgment and decree and holding that the claimants are entitled to enhancement of land value only at the rate of 45% over and above the value fixed by the Land Acquisition Officer. The claimants are also entitled to the statutory benefits including interest on solatium.

In view of the order passed in these Land Acquisition Appeals, the relief sought for in the stay petitions need not be considered by this court. Accordingly, the stay petitions in the appeals are dismissed.

KURIAN JOSEPH, JUDGE

HARUN-UL-RASHID, JUDGE

mt/-

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

LAA Nos.697 of 2001,

52, 551, 932, 933, 1469
& 1527 of 2002,

71, 829, 931, 932, 993, 1192,
1276 & 1334 of 2003,

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740 & 859 of 2004

JUDGMENT

22.10.2007